FILED

JUN 2 3 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No.: '08 MJ 8567
v.	COMPLAINT FOR VIOLATION OF
Juan Manuel RESENDIZ	21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)
Defendant.	

The undersigned complainant being duly sworn states:

That on or about June 20, 2008, within the Southern District of California, defendant Juan Manuel RESENDIZ did knowingly and intentionally import approximately 105.84 kilograms (232.84 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21,United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 23RD, DAY OF JUNE 2008.

Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Jose G. Morquecho, declare under penalty of perjury, the following is true and correct:

On June 20, 2008 at approximately 0300 hours, Juan Manuel RESENDIZ entered the United States at the Calexico, California, West Port of Entry. RESENDIZ was the driver of 2004 Ford Econoline van. Customs Border Protection Officer Stewart was assigned to primary lanes when RESENDIZ entered his lane. RESENDIZ gave Officer Stewart a negative oral customs declaration. RESNEDIZ told Officer Stewart that he was the owner of the vehicle that he was driving. Officer Stewart noted during the inspection that the gas tank seemed unusually solid when tapped. Officer Stewart escorted RESENDIZ and the vehicle to the vehicle secondary lot. In the vehicle secondary lot, Officer Stewart requested that Canine Enforcement Officer (CEO) Pyburn screen the vehicle for contraband with his assigned Narcotic Detector Dog (NDD). CEO Pyburn noted that his NDD alerted to the vehicle. A subsequent inspection of the vehicle revealed 108 packages in the gas tank and quarter panels of the vehicle. Officer Stewart probed one of the packages and a sample of a green leafy substance was obtained, which field tested positive for marijuana. The 108 packages had a combined net weight of approximately 105.84 kilograms (232.84 pounds).

RESENDIZ was read his Constitutional Rights as per Miranda Warning and invoked his right to remain silent. RESENDIZ was tranported to Imperial County Jail to await his initial appearance before the U.S. Magistrate Judge.

Executed on 6/20/08 (date) at 2138 (time)

[signature]
SPECIAL AGENT

One the basis of the facts presented in the probable cause statement consisting of 1 pages, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on June 20, 2008 in violation of Title 21, United States Code, Section(s) 952, 960

[signature]
United States Magistrate Judge

6/21/08 8:45AM
Date/Time